



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105**

ENCLOSURE 3

INFORMATION REQUEST

Please provide the information requested in this Enclosure within thirty (30) days of your earliest receipt, either by certified mail or email, of this letter and Enclosure.

INSTRUCTIONS

1. Please provide a separate response to each request, and identify each response by the number of the request to which it corresponds. For each document produced, identify the request to which it is responsive.
2. Knowledge or information that has not been memorialized in any document, but is nonetheless responsive to a request, must be provided in a narrative form.
3. The scope of this Information Request includes all information and documents obtained or independently developed by the Company, its attorneys, consultants or any of their agents, consultants, or employees.
4. The Company may not withhold any information from EPA on the grounds that it is confidential business information. EPA has promulgated regulations, under 40 C.F.R. Part 2, Subpart B, to protect confidential business information that it receives. The Company may assert a business confidentiality claim (in the manner specified in 40 C.F.R. § 2.203(b)) for all or part of the information requested by EPA. However, business information is entitled to confidential treatment only if it satisfies the criteria set forth in 40 C.F.R. § 2.208. EPA will disclose business information entitled to confidential treatment only as authorized by 40 C.F.R. Part 2, Subpart B. If no claim of confidentiality accompanies the information at the time EPA receives it, EPA may make it available to the public without further notice. Enclosure 4 of this package for an outline of the process for asserting and substantiating a business confidentiality claim
5. Pursuant to 40 C.F.R. § 2.310(h) notice is hereby given that EPA may disclose confidential information provided by the Company to EPA's authorized representatives. Confidential information may be disclosed to EPA's authorized representatives for the following reasons: to assist with document handling, inventory and indexing; to assist with document review and analysis for verification of completeness; and to provide expert technical review of the contents of the response. Pursuant to 40 C.F.R. § 2.310(h), the Company may submit, along with its response to this Information Request, any comments regarding EPA's disclosure of confidential information to its authorized representatives.
6. If information or documents not known or available to the Company at the time of its response to this Information Request later become known or available to it, it must supplement its response to EPA. Moreover, should the Company find at any time after the submission of its response that any portion of the submitted information is false or

misrepresents the truth, the Company must notify EPA as soon as possible and provide EPA with a corrected response.

7. If information responsive to a request is not in the Company's possession, custody, or control, identify the persons or entities from whom such information may be obtained. For each individual or entity that possesses responsive information, please provide the following: name, last known or current address, telephone number, and affiliation with the Company or the Facility.
8. If you believe there are grounds for withholding information or documents that are responsive to this request, e.g., attorney-client privilege, you must identify the information or documents and state the basis for withholding.

DEFINITIONS

The following definitions apply to the following terms (words or phrases) as they appear in this Information Request. Defined terms are enclosed in quotation marks:

1. "You" or the "Company" shall mean Puna Geothermal Venture or its officers, managers, employees, contractors, trustees, partners, successors, assigns, and agents.
2. "Facility" means all buildings, equipment, structures, installations, pipes, or stationary items owned, leased, or operated by the Company, at the property or properties located at 14-3860 Kapoho Paho Rd. in Paho, HI.
3. "Finding of Violations" shall mean the Finding of Violations issued to the Company by USEPA Region 9.
4. "Document" or "documents" shall mean any printing, typing, writing, photostat, or any other copy, microfilm, film record, video record, CD, sound recording, tape, disc, or other type of memory associated with computers, including any instructions necessary to read such material, and any other tangible item recording information.
5. "Chemical" shall mean any extremely hazardous substance listed in Appendices A and B of 40 CFR Part 355; any hazardous substance, as defined in Section 101(14) of CERCLA, including any mixtures of hazardous substances with any other substances, such as petroleum products; and any pollutant or contaminant, as defined in Section 101(33) of CERCLA, including any mixtures of pollutants or contaminants with any substances, such as petroleum products.
6. "Release" shall have the same definition as that contained in Section 101(22) of CERCLA, and shall include any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substances or pollutants or contaminants.
7. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in the CAA, CERCLA, 40 C.F.R. Part 68, or 40 C.F.R. Part 300, in which case the statutory or regulatory definitions shall apply.

INFORMATION REQUEST

1. Provide a response to each Finding in the Finding of Violations, indicating if the Company agrees or disagrees with the Finding.
 - i. If the Company agrees with the Finding, indicate if the Facility is presently in compliance with the cited requirement.
 1. If the Facility is presently in compliance with the cited requirement: include the following information:
 - a. a description of what activities the Facility undertook to come into compliance; and
 - b. the date on which the Facility came into compliance.
 2. If the Facility is presently not in compliance with the cited requirement:
 - a. indicate what actions the Facility will undertake in order to come into compliance; and
 - b. provide an estimated time by which compliance will be achieved.
 - ii. If the Company disagrees with the Finding provide the basis and supporting documentation for each such assertion.
2. For each Finding in the FOV provide cost information relating to work undertaken, planned, or considered to address identified violations. Cost information may be either actual or estimated and shall be disaggregated by: a) one-time costs (such as for engineering and permitting); b) capital costs (such as for equipment); and c) incremental annual operation and maintenance costs relative to the Facility's level of effort as that existed in January 2010. For each cost item provided indicate if actual or estimated.
3. Provide a statement and supporting documentation indicating both the Company's present net worth and gross revenues for calendar and/or fiscal year 2013.